IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5292 OF 2005

Dr.Narendra Omprakash Bansal ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

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Mr.V.A.Thorat with Mr.R.D.Soni i/b M/s.Ram & Co. for the Petitioner.

Mr.Sudhir Talsania, Special Counsel with Mr.L.M.Acharya with Mr.P.I.Khemani, AGP for the State.

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CORAM : A.P.SHAH &

DR.D.Y.CHANDRACHUD, JJ.

18th August, 2005.

P.C. :

The Petitioner is a professor of Cardiology and Head of the Department of Cardiology at the Grant Medical College and Sir. J.J. Group of Hospitals, Mumbai. An order was issued on 13th July, 2005 suspending the Petitioner from service under Rule 4 of the Maharashtra Civil Service (Discipline & Appeal) Rules, 1979. The Petitioner has impugned the validity of the order of

suspension before the Maharashtra Administrative Tribunal in O.A. 637 of 2005. The Tribunal adjourned the matter on 28th July, 2005 in order to enable counsel for the Respondents to seek instructions. This Court has been moved at a stage when the matter is still pending before the Tribunal and the application for interim relief is still to be taken up for hearing on merits. In this view of the matter, we are of the view that it would be appropriate if the Tribunal is directed to decide the application for the grant of interim relief in the first instance. Since the Tribunal is still to decide the issue, we refrain from making any observations on the merits of the case. Having heard the learned counsel, we are of the view that the ends of justice do require an expeditious disposal of the application for the grant of interim relief. In the circumstances, we dispose of this Petition with a direction that the Respondents shall file the reply, if any, on or before 22nd August, 2005. The Tribunal is requested to endeavour an expeditious disposal of the application for interim relief thereafter preferably by 2nd September, 2005. The Petition is accordingly disposed of. There shall be no order as to costs.